

## UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Jan 12, 2021

SEAN F. MCVOY, CLERK

U.S.A. vs.

Finley, Leland James

Docket No.

0980 1:19CR02055-SMJ-1

**Petition for No Action on Conditions of Pretrial Release**

COMES NOW Linda J. Leavitt, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Leland James Finley, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge Mary K. Dimke, sitting in the court at Yakima, Washington, on the 21st day of February 2020, under the following conditions:

**Special Condition #5:** Defendant shall submit to urinalysis and/or Breathalyzer testing up to twice per week as directed by the United States Probation/Pretrial Services Office.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

**Violation #1:** Mr. Finley is alleged to be in violation of his pretrial release conditions by failing to submit to a random urinalysis test at Merit Resource Services (Merit) on January 7, 2021.

Conditions of pretrial release were reviewed and signed by Mr. Finley on February 24, 2020, acknowledging an understanding of his pretrial release conditions including special condition number 5.

On January 8, 2021, this officer received a status report via email from Merit advising Mr. Finley failed to show or call for his random color line urinalysis test on January 7, 2021. On January 11, 2021, this officer attempted to contact Mr. Finley regarding his missed test from 8:45 a.m. until 3:45 p.m., when Mr. Finley finally responded. This officer asked Mr. Finley why he failed to show for his random urinalysis test on January 7, 2021, to which he stated, "I didn't know that I had a UA sorry, someone passed that day and I was distracted, I didn't call that day." This officer also reached out to Mr. Finley's assigned counsel requesting assistance in an attempt to make contact with him as well this date. Mr. Finley stated, "I was in shock (relating to the death) and it over ran my antidepressants, I completely shut out. I apologize, it won't happen again."

PRAYING THAT THE COURT WILL ORDER NO ACTION AT THIS TIME

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I declare under the penalty of perjury  
that the foregoing is true and correct.

Executed on: 01/12/2021

by s/Linda J. Leavitt

Linda J. Leavitt  
U.S. Pretrial Services Officer

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**THE COURT ORDERS**

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other

*m.k. dimke* 

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Signature of Judicial Officer

1/12/2021

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Date